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12 UNITED STATES DISTRICT COURT  
13 SOUTHERN DISTRICT OF CALIFORNIA  
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15 MISTI CHEERS-PETTIES,

16 Plaintiff,

17 vs.

18 ANHEUSER-BUSCH, LLC, and  
19 DOES 1 through 25, inclusive,

20 Defendants.  
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CASE 11-CV-1830 W (JMA)

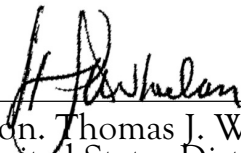
ORDER GRANTING JOINT  
MOTION TO CAP DAMAGES  
AND REMAND [DOC 19]

22 On August 16, 2011, Defendant Anheuser-Busch, LLC removed the instant  
23 matter to this Court under diversity jurisdiction. (Doc. 1.) The parties have now filed  
24 a joint motion seeking to cap Plaintiff Misti Cheers-Petties' damages at \$75,000—less than  
25 the amount in controversy requirement of 28 U.S.C. § 1332(a)—and to remand this  
26 action back to state court. (Doc. 19.) Under 28 U.S.C. § 1447(c), “[i]f at any time before  
27 final judgment it appears that the district court lacks subject matter jurisdiction, the case  
28 shall be remanded.” Having read the parties' papers, and good cause appearing, the

1 Court **GRANTS** the joint motion to cap Cheers-Petties' damages at \$75,000 and  
2 **REMANDS** this action to state court. All pending hearing dates are vacated. The clerk  
3 of the court is directed to close this matter.

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5 **IT IS SO ORDERED.**

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7 DATED: April 3, 2012

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10 Hon. Thomas J. Whelan  
11 United States District Judge  
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